



County of Santa Cruz

OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, SUITE 505, SANTA CRUZ, CA 95060-4068
(831) 454-2040 FAX: (831) 454-2115

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DWIGHT L. HERR, COUNTY COUNSEL
CHIEF ASSISTANTS

Deborah Steen
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Assistants

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Marie Costa
Jane M. Scott
Rahn Garcia
Tamyra Rice

Pamela Fyfe
Ellen Aldridge
Kim Baskett
Lee Gulliver
Dana McRae

GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda JANUARY 25, 2008

To: Board of Supervisors

Re: Claim of CELINA T. WATSON ET AL. NO. 900-082

Original document and associated materials are on file at the Clerk to the Board of Supervisors.

In regard to the above-referenced claim, this is to recommend that the Board take the following action:

- X 1. Deny the claim of CELINA T. WATSON ET AL. NO. 900-082 and refer to County Counsel.
2. Deny the application to file a late claim on behalf of _____ and refer to County Counsel.
3. Grant the application to file a late claim on behalf of _____ and refer to County Counsel.
4. Approve the claim of _____ in the amount of _____ and reject the balance, if any, and refer to County Counsel.
5. Reject the claim of _____ as insufficiently filed and refer to County Counsel.

CC: RAMA KHALSA, ADMINISTRATOR
HEALTH SERVICES AGENCY

RISK MANAGEMENT

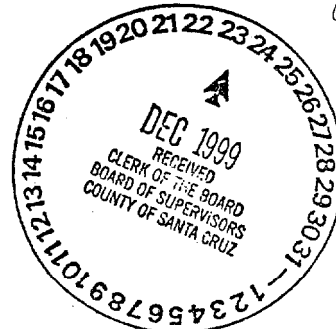
By Janet McKinley

COUNTY COUNSEL

By Samuel Torres

900-082

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JOHN J. GARVEY, III, ESQ.
A Professional Corporation
Ten Almaden Boulevard, Suite 1250
San Jose, California 95113
(408) 293-7777

Attorney for Claimants

Claimants: CELINA T. WATSON,
individually and on behalf of all
lawful heirs of JAMES J. WATSON,
including but not limited to:
CHERYL M. WATSON, MICHELLE WATSON;
CRAIG WATSON and STEVE WATSON, and
each of them.

Against: COUNTY OF SANTA CRUZ

GOVERNMENT CLAIM

Government Code
1910.4

CLAIM AGAINST PUBLIC ENTITY

TO: COUNTY OF SANTA CRUZ
CLERK OF THE BOARD OF SUPERVISORS
701 OCEAN STREET, ROOM 500
SANTA CRUZ, CA 95060

CELIINA T. WATSON, individually and on behalf of all lawful heirs of decedent JAMES J. WATSON, including but not limited to: CHERYL WATSON, MICHELLE WATSON, CRAIG WATSON and STEVE WATSON, and each of them, (hereinafter referred to as "Claimants"), each hereby makes this claim against the County of Santa Cruz, and makes the following statements in support of each of their respective claims:

1. Claimant CELINA WATSON's, individually and on behalf of all other Claimants, address is as follows:
260 Rio Del Mar Blvd., #31
Aptos, CA 95003

2. Notices concerning these claims should be sent to the attention of John J. Garvey, III, Esq., 10 Almaden Boulevard, Suite

1250, San Jose, California 95113.

3. The date and place of the occurrence giving rise to this claim are as follows: 260 Rio Del Mar Blvd., #31, Aptos, CA 95003.

4. The circumstances giving rise to this claim are as follows:

The relationship of the claimants to decedent JAMES. J. WATSON is as follows:

| <u>Claimant</u> | <u>Relationship</u> |
|-----------------|---------------------|
| Celina Watson | Wife/widow |
| Cheryl Watson | Daughter |
| Michelle Watson | Daughter |
| Craig Watson | Son |
| Steve Watson | Son |

On or about June 26, 1999 at approximately 12:30 p.m. personnel from the Santa Cruz County EMS (Emergency Medical Services) and/or its agents responded to an emergency call at 260 Rio Del Mar Blvd., #31, Aptos, California, for the care and treatment of James J. Watson (date of birth: 2/21/36). Said personnel undertook emergency services and were provided a history inter alia of James J. Watson having undergone arthroscopic surgery on both of his knees on June 24, 1999, and were further provided with the names of his physicians and the medication that he was taking. James J. Watson also exhibited shortness of breath.

Said James J. Watson was subsequently transported by ambulance personnel such that he arrived at Dominican Hospital at approximately 1:25 p.m. where he subsequently was pronounced dead at approximately 1:58 p.m. The coroner determined the cause of death to be "Bilateral Pulmonary Emboli

due to: Thrombophlebitis of leg veins

due to: Venostasis, leg veins

due to: Bilateral Arthroscopic Surgery of Knees,

Recent;'

Said personnel, and each of them, performed said emergency services in a grossly negligent and careless fashion, and so

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grossly misdiagnosed and treated James J. Watson's condition, and so grossly delayed their transportation of him to the hospital, that said Watson died. Said personnel's gross negligence and carelessness otherwise proximately resulted in his death and the injuries and damages complained of herein.

Claimants Cheryl Watson and Craig Watson witnessed said personnel's actions and treatment of James J. Watson.

5. Claimants and each of them, have sustained the following damages: economic and non-economic damages including but not limited to love, companionship, comfort, affection, society, solace or moral support, loss of the physical assistance to a spouse in the operation or maintenance of the home; and financial support in an amount exceeding the jurisdiction of Superior Court.

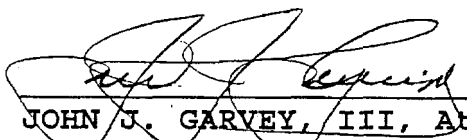
6. In addition, claimant Cheryl M. Watson has sustained the following damages: general damages for emotional distress in an amount within the jurisdiction of the Superior Court.

7. In addition, claimant Craig Watson has sustained the following damages: general damages for emotional distress in an amount within the jurisdiction of Superior Court.

8. In addition claimant Celina Watson has sustained the following special damages: medical and funeral bills in an amount to be determined.

9. The names of the public employees involved are unknown.

Dated: December 21st, 1999


JOHN J. GARVEY, III, Attorney
for Claimants CELINA T. WATSON,
individually and on behalf of
claimants: CHERYL WATSON,
MICHELLE WATSON, CRAIG WATSON
and STEVE WATSON and each of
them.

900-082



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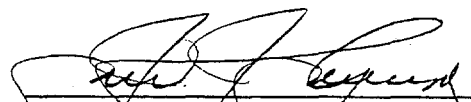
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